

RESOLUTION NO. R2020-121**A RESOLUTION ANNEXING PROPERTIES FROM JACKSON TOWNSHIP
PURSUANT TO AN EXISTING ORDERLY ANNEXATION AGREEMENT**

WHEREAS, the City of Shakopee (“City”) and Jackson Township (“Town”) entered into a “Joint Resolution for Orderly Annexation between the Town of Jackson & the City of Shakopee”, that was filed with the Office of Administrative Hearings - Municipal Boundary Adjustments Office on March 6, 2018, accepted by the Boundary Adjustments Office on March 12, 2018, and which is identified as Docket No. OA-1694 (“Orderly Annexation Agreement”);

WHEREAS, the entire Town was designated for future annexation under the Orderly Annexation Agreement and the City may annex property from the Town in accordance with the terms and conditions of the Orderly Annexation Agreement;

WHEREAS, The City of Shakopee requested the annexation of 250 acres of property within the Town as shown on the attached 2020 City Annexation Plan and as described in the attached legal descriptions (Exhibit A, B & C);

WHEREAS, the City has notified the Town of the request for annexation;

WHEREAS, the City finds and determines as follows with respect to the requested annexation:

- a. Under Section II, paragraph 7 of the Orderly Annexation Agreement, the “City may at any time, without a petition of the property owners, annex undeveloped property, or multiple properties, within the Township which are at least fifty (50) percent surrounded by the municipal boundary of the City, based on the perimeter of the entire area to be annexed.”;
- b. The Annexation Area directly abuts the City’s boundary to the east and north to an extent that more than satisfies the minimum 50 lineal feet or more of shared boundary required by the Orderly Annexation Agreement;
- c. Annexation of the Annexation Area will not cause the City to exceed the 250 acre annual area limit set out in Section IV, paragraph 1 of the Orderly Annexation Agreement;
- d. The City determines that annexing the Annexation Area pursuant to this Resolution is consistent with the terms and conditions of the Orderly Annexation Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shakopee as follows:

1. The recitals set out above and the exhibits attached hereto are incorporated in and made part of this Resolution.
2. The Annexation Area shown on the attached 2020 City Annexation Plan and as described in the attached legal descriptions (Exhibit A, B & C); is hereby annexed into the municipal boundaries of the City of Shakopee effective upon the issuance of the Chief Administrative Law Judge's order.
3. Pursuant to Minn. Stat. § 414.0325, subd. 1(h) and Section I, paragraph 2 of the Orderly Annexation Agreement, the Chief Administrative Law Judge may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this Resolution.
4. The Annexation Area is subject to local property taxes and, pursuant to the Orderly Annexation Agreement, the City is required to make any tax reimbursement payment to the Town related to this annexation.
5. City staff is authorized and directed to file this Resolution with the Office of Administrative Hearings - Municipal Boundary Adjustments Office ("Boundary Adjustments Office").
6. In the event the Boundary Adjustments Office identifies any errors, omissions, or other problems with the attached map or legal description, City staff is hereby authorized to make such corrections as may be needed to accomplish the purpose of this Resolution.

Adopted in adjourned regular session of the City Council of the City of Shakopee, Minnesota, held this 20th day of October, 2020.



Mayor of the City of Shakopee

ATTEST:



Lori Hensen, City Clerk

Exhibit A

The Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$), and the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$) exception therefrom a parcel of land previously deeded to Anton LaTour, which land is described as follows: to wit:

Commencing at the Southeast corner of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$), thence running West along the south line of said Northeast Quarter of the Southwest Quarter, thirty-five (35) feet, thence Northeasterly to a point thirty-five (35) feet North of the Southeast corner of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$), thence South thirty-five (35) feet to the place of beginning, all in Section fourteen (14), Township one hundred fifteen (115), Range twenty-three (23). All of the above land being in Scott County, Minnesota.

Exhibit B

The North one-half ($1/2$) of the Northwest Quarter ($NW \frac{1}{4}$), and the Southwest Quarter ($SW \frac{1}{4}$) of the Northwest Quarter ($NW \frac{1}{4}$), Section fourteen (14), Township one hundred fifteen (115) Range twenty-three (23) West, Scott County, Minnesota, EXCEPT the following parcels:

- (A) The North 320.00 feet of the West 340.31 feet of the Northwest Quarter ($NW \frac{1}{4}$) of the Northwest Quarter ($NW \frac{1}{4}$), containing 2.5 acres more or less.
- (B) The East 216.0 feet of West 698.0 feet of the South 202.0 feet of the Southwest Quarter ($SW \frac{1}{4}$) of the Northwest Quarter ($NW \frac{1}{4}$).
- (C) The West 266 feet of the South 202 feet of the Southwest Quarter ($SW \frac{1}{4}$) of the Northwest Quarter ($NW \frac{1}{4}$).
- (D) That part of the West half ($W \frac{1}{2}$) of the Northwest Quarter ($NW \frac{1}{4}$) and the Northeast Quarter ($NE \frac{1}{4}$) of the Northwest Quarter ($NW \frac{1}{4}$), all in Section 14, Township 115 North, Range 23 West, shown as Parcel 43B on Minnesota Department of Transportation Right of Way Plat Numbered 70-16 lying northeast of the following described line:

Commencing at the northeast corner of said Northwest Quarter; thence South 87 degrees 40 minutes 12 seconds West, assumed bearing along the north line of said Northwest Quarter, a distance of 95.62 feet to the Point of Beginning; thence South 68 degrees 18 minutes 34 seconds East, a distance of 103.06 feet to appoint on the east line of said Northwest Quarter, lying 41.98 feet south of said northeast corner, and there terminating.

Exhibit C

All that part of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$) Section 15, Township 115, Range 23, Scott County, Minnesota lying southerly and westerly of the following described line: Beginning at the southeast corner of THEIS 2ND ADDITION , according to the recorded plat thereof, Scott County, Minnesota; thence North 87 degrees 45 minutes 57 seconds West, assumed bearing along the south line of said THEIS 2ND ADDITION and its westerly projection, a distance of 900.00 feet; thence North 00 degrees 17 minutes 53 seconds West, a distance of 499.40 feet to the south line of THEIS ADDITION; thence North 87 degrees 46 minutes 12 seconds West along said south line, a distance of 219.63 feet to a point on the south line of a parcel of land as described in Book 165 of Deeds page 371; thence deflecting left 8 degrees 16 minutes, along the southerly line of said parcel a distance of 210.92 feet to the West line of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and there terminating. Containing 10.7 acres more or less.

Also all of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$), Section 15, Township 115, Range 23, Containing 40.5 acres more or less.

And also all that part of the East one-half of the Southeast Quarter (E $\frac{1}{2}$ of SE $\frac{1}{4}$) Section 15, Township 115, Range 23 lying northerly of the following described line: Beginning at a point in the East line of said E $\frac{1}{2}$ of the SE $\frac{1}{4}$ distant 2418.90 feet North of the Southeast corner thereof; thence West at right angles a distance of 1324.3 feet more or less to the West line of said E $\frac{1}{2}$ of the SE $\frac{1}{4}$ and there terminating. Containing 7.8 acres more or less.



